

SMB  
8/13/08

AO91 (Rev. 12/03) Criminal Complaint

**FILED**  
**2008 AUG 13 PM 12:15**  
**UNITED STATES DISTRICT COURT**

Southern

DISTRICT OF  
 CLERK US DISTRICT COURT  
 SOUTHERN DISTRICT OF CALIFORNIA, California

UNITED STATES OF AMERICA

V.

Jose LEON-VILLAGOMEZ

BY [Signature] DEPUTY  
**CRIMINAL COMPLAINT**

Case Number: **08 MJ 25 10**

(Name and Address of Defendant)

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about 8/10/2008 in San Diego County, in the Southern District of California defendant(s) did,

(Track Statutory Language of Offense)

unlawfully, willfully, and knowingly escape from the custody of the Attorney General, and his authorized representative, by willfully leaving the Correctional Alternatives center, without permission, said custody and confinement being by virtue of Bringing in Illegal Aliens without Presentation,

in violation of Title 18 United States Code, Section(s) 751(a) and 4082(a).

I further state that I am a(n) Deputy United States Marshal and that this complaint is based on the following facts:

Official Title

see attached statement of facts, which is incorporated herein by reference

Continued on the attached sheet and made a part of this complaint: ☐ Yes ☐ No

[Signature]  
 Signature of Complainant

Ross Larson  
 Printed Name of Complainant

Sworn to before me and signed in my presence.

8/13/2008

Date

at

San Diego

City

California

State

Hon. Anthony J. Battaglia, U.S. Magistrate Judge

Name of Judge

Title of Judge

[Signature]  
 Signature of Judge

STATEMENT OF PROBABLE CAUSE

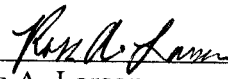
I, Ross Larson, being duly sworn, hereby depose and say:

I am a Deputy United States Marshal and have been so employed for approximately one year.

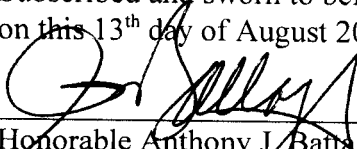
This statement of facts is made in support of a complaint against Jose Leon-Villagomez for escape from the custody of the Attorney General, in violation of Title 18, United States Code, Sections 751(a) and 4082(a). On August 10, 2008, I received a report that Jose Leon-Villagomez had escaped from the Correctional Alternatives Inc., a residential reentry center (RRC) located at 551 S. 35<sup>th</sup> Street (Site 2), San Diego, California, a federally contracted facility.

On August 11, 2008, I reviewed files from the United States Marshals Service. My review of the files revealed the following facts: records show that Leon-Villagomez was serving a sentence of 13 months followed by 3 years of supervised release imposed by United States District Court Judge Roger Benitez, Southern District of California, February 25, 2008 for Bringing in Illegal Aliens without Presentation (Title 8 USC 1324) and Aiding and Abetting (Title 18 USC 2). On August 6, 2008, Leon-Villagomez was transferred from Federal Correctional Institution (FCI) Lompoc to Correctional Alternatives Inc. in San Diego, CA.. Leon-Villagomez was scheduled to be released on October 6, 2008. On August 10, 2008 at 10:26 a.m., Leon-Villagomez signed out of the facility on a pass and was designated to return at 3:00 p.m. After 3:00 p.m. a search of the facility determined that Leon-Villagomez was not present. At 5:35 p.m., the Community Corrections Long Beach office duty phone was called to place the Leon-Villagomez on escape status, who was subsequently given until 9:00 p.m. to return to the facility. At 9:00 p.m. Leon-Villagomez was placed on escape status, and at approximately 9:20 p.m. the United States Marshals Service was notified. Leon-Villagomez' current whereabouts are unknown and he remains a fugitive.

Dated: August 13, 2008

  
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Ross A. Larson  
Deputy United States Marshal

Subscribed and sworn to before me  
on this 13<sup>th</sup> day of August 2008.

  
\_\_\_\_\_  
Honorable Anthony J. Battaglia  
United States Magistrate Judge